

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

AT&T CORP., et al. : CIVIL ACTION
: :
v. : :
: :
CORE COMMUNICATIONS, INC., : :
et al. : NO. 12-7157

ORDER

AND NOW, this 30th day of January, 2014, upon consideration of the plaintiff's Motion for Preliminary Injunction (Doc. No. 20), the oppositions and reply thereto, and following an oral argument held on October 1, 2013, and whereas the parties agreed during oral argument that the record was complete and the Court could proceed to decide the case on the merits, IT IS HEREBY ORDERED that:

1. Pursuant to Fed. R. Civ. P. 65(a)(2), the Court consolidates the oral argument with a hearing on the merits in this case;

2. The Pennsylvania Public Utility Commission ("PPUC") lacked jurisdiction to issue its December 5, 2012 Opinion and Order ("December 5, 2012 Order") and August 15, 2013 Opinion and Order on Reconsideration ("August 15, 2013 Order"), which ordered AT&T to pay Core Communications, Inc. in the amount of \$254,029.89, the rate of \$0.0007/MOU for the traffic at issue in this case; and

3. The defendants are permanently enjoined from enforcing the PPUC's December 5, 2012 Order and August 15, 2013 Order. The plaintiff is not obligated to make any payments under the terms of the PPUC Orders.

BY THE COURT:

/s/ Mary A. McLaughlin
MARY A. McLAUGHLIN, J.